

**Community Preservation Act Committee (CPAC)
Meeting Minutes
Wednesday, January 23, 2014**

The meeting was called to order at 7:0 pm by Peter Jessop, Chair, in the Community Room in the Police Station.

Committee Members In Attendance:

Sandra Anderson, Marilyn Blaustein (arr. 7:17), Jim Brissette, Paris Boice, Peter Jessop, Chair; Ellen Kosmer, Jim Oldham, Mary Streeter, Vice Chair

Staff / Others In Attendance: Sonia Aldrich, Linda Chalfant, Stephanie Ciccarello, Nate Malloy, Guilford Mooring, David Ziomek; Diana Stein, Select Board Liaison; Briony Angus, Aaron Blodgett, Joan Burgess, Rita Farrell

Agenda

Presentations:

- 7:05pm Guilford Mooring
 - Groff Park Wading Pool Chlorinator
 - Sweetser Park Fountain Consultant
- 7:35pm Dave Ziomek
 - Conservation Due Diligence and Restrictions
 - Saul Property
 - Affordable Housing at Echo Village and Rolling Green

Executive session under G.L.c30A, §21(a)(6) to consider purchase of real property; votes may be taken.

- Saul Property
- Affordable Housing at Echo Village and Rolling Green

Approve any minutes

Topics the Chair did not reasonably anticipate 48 hours before the meeting

Presentations and Discussion

- **Groff Park Wading Pool Chlorinator – \$4,000**

Guilford Mooring gave background on chlorinators used in pools in town. The Board of Health informed him that either a certified pool operator must test the water 3 to 4 times a day or a chlorinator must be purchased for \$3,800 plus shipping for the Groff Park Wading Pool. Currently there are two chlorinators – one at Mill River Pool purchased 8-9 years ago and one at War Memorial Pool purchased as part of the recent upgrade. There is no money in the budget for staff to do the pool testing. Current operating budget funds will be used to build a shower and make needed/required repairs at Groff Park pool. Guilford didn't ask for funds from the Capital Budget because those requests are due in November and he did not receive the Board of Health's final list of what needed to be done until late December. The pool opens in June – they will need to continue testing from June until mid-July. Guilford explained he uses the Pool account and the parks account areas of the budget for pool staffing, pool chemicals, and some maintenance. There are currently 4 certified pool operators as part of the park staff but having them go back throughout the day would be inefficient. Guilford said he would send Julie Federman's list of changes needed to CPAC. The life expectancy of a chlorinator is 10 to 20 years.
- **Sweetser Park Fountain Consultant – \$15,000**

Guilford briefly outlined the issues of the fountain, which involve erosion, stone masonry, and internal support structures. He wants to be proactive and have someone diagnose the aging-related issues with the fountain. Jim Brissette questioned why "Recreation" was checked on the proposal since LSSE had not requested this. Guilford explained that since it

was a park and also was historic he checked both. There are “recreational” areas that are not under the control of LSSE. The money would be used to create a scope of work that would indicate work that needs to be done immediately and over time. There is a \$20,000 maintenance and repairs gift account that could be used to do the actual repairs. Mary commented that the study recently done on a barn in North Amherst was thorough and only cost \$810. Guilford said he got a ballpark figure from a local architect. Going out to bid could take additional time. He has not discussed this proposal with the Historical Commission yet. Guilford is looking for an architect who specializes in stonework. Jim Oldham commented that he recently had a structural engineer give a detailed report and scope of work for a large building that cost only \$1,200. The fountain was thoroughly renovated in 1995 for \$50,000. Dave Ziomek distributed a news article about the fountain form 1995.

- **Conservation Due Diligence and Restrictions – \$65,000 (\$25,000 + \$40,000)**
Appraisals, Surveys, and Related Studies – \$25,000 – Dave Ziomek said the fund for this is almost depleted. He thinks that \$25,000 would last approximately 3 years. He listed costs for recent required studies in order to close on properties that totaled \$17,323. Baseline studies are reports that look at the condition, status, and management of a property at a moment in time and are given to the State and the holder of the restriction. 21E studies are done to ensure there is no environmental contamination before the land is purchased. In the past only one conservation restriction came out of the surveys and appraisals funds.

Mary asked if due diligence funds would be folded in to the cost of future projects. Nate Malloy said State LAND Grants cover appraisals, surveys, title work, and recording fees but not baseline studies. An APR requires a survey and appraisal and the State might pick up the cost of the baseline study. Kestrel Trust has been very helpful with cost sharing through the years.

Conservation Restrictions – \$40,000 – Dave distributed copies of the State law on permanent restrictions. The State is getting more serious about restrictions. Dave said the money would pay for conservation restrictions (CRs) on every piece of property the Town has protected with CPA funds since 2003, totaling about 125 acres on 12 to 14 different properties. Dave said the State is saying no more grants for conservation land until restrictions are placed on the properties. Dave said the Town has fee ownerships on all the properties. They are under the care and control of the Conservation Commission.

Until recently there were no third parties willing to hold the restrictions. Peter asked for clarification on whether there were restrictions on the past CPA funded properties. Dave said there were not. There are two phases in the process. Baseline studies would need to be done on the properties and some of these funds would go toward that. The baselines would be submitted to the State for approval. Then the Town would pay Kestrel Trust the stewardship fee. Dave said the Town and Kestrel have an MOU that could be signed immediately using a per acre formula. Sandy asked whether any of these funds would carry forward for future land purchases. Peter said they would mostly be for the properties acquired in the past. Dave said he hopes some funds would be left for the future, but that is uncertain since bids would be sought and the prices of the baselines studies would vary.

Mary asked if the restriction backlog could be addressed over a few years. Dave expressed concern that if these restrictions aren't in the works, funding for the Saul property could be jeopardized. Dave said Amherst and Northampton are seen as leaders in land conservation and the State would like to see us be leaders in placing the CRs on properties. The State has indicated that we won't get any land grants if the backlog is not cleaned up. Joan

Burgess asked if the stewardship costs for these restrictions would be ongoing in the future. Dave said it would be a one-time fee.

- **Saul Property Purchase – \$41,785** – Dave distributed copies of maps of the Saul property. He said this is primarily a conservation project for land that is not threatened by development today. It is an opportunity to protect the Fort River and farmland, and opportunity to support community based agriculture connected to the schools and other non-profit organizations. He showed a copy of a check from the State for \$105,000 as a match for local fund-raising to protect the land.

Briony Angus, Chair of the Conservation Commission, strongly recommended the proposal. It has come before the Conservation Commission several times. ConCom is most concerned with the conservation aspects, rare species habitat, and protecting the network of ecologically important pieces of land. The State grant that has been awarded speaks to the importance of protecting this land.

Stephanie Ciccarello, Amherst's Sustainability Coordinator, discussed ideas for a "Sharing Garden" and the educational outreach that would be possible. She is in favor of doing smaller feasible projects on the land.

Kerry Blood, Outreach Specialist for Kestrel Land Trust, said Kestrel has agreed to pre-acquire the land until the Town has the funds to complete purchase of the land sometime in June 2014. The land has been classified in Biomap 2 as core habitat and critical natural landscape. It is priority habitat for rare and endangered species. It is in close proximity to water resources – the Fort River aquifer, and close to schools and adjacent to other protected lands. Kestrel's AmeriCorp volunteer is working closely with Grow Food Amherst.

Jim Brissette encouraged people to come and speak in support at Town Meeting. Sandy asked why the Town would need to acquire the land if Kestrel has it. Dave said there was an agreement with Kestrel that they would only hold the land temporarily. Jim Oldham commented that incubator farm programs usually don't run on volunteers. Stephanie clarified that just 2-3 pieces of land can be used with new farmers from some of the agriculture programs at the three colleges. He expressed concern that this type of program is not being considered at the Hawthorne property.

Marilyn wondered if there were other funding sources and whether there was any revenue potential from leasing the land. Dave said they would continue with grant writing and do some private fund-raising. Dave said the Town licenses rather than leases land for about \$125/acre per year. He said there was talk of having community gardens on Hawthorne, but affordable housing on that land was the current priority.

- **Affordable Housing at Echo Village and Rolling Green** – Dave introduced Nate Malloy and Rita Farrell of the Mass. Housing Partnership. He said there are 41 affordable units at Rolling Green and another 24 affordable units at Echo Village. The Town has worked with Mass Housing Partnership to explore the possibility of preserving affordability by bonding \$750,000 over 20 years. Aaron Blodgett of the Housing and Sheltering Committee said this project was the HSC's top priority of the four proposals.

Executive Session under G.L.c30A, §21(a)(6) to consider real property – Saul Property and Echo Village and Rolling Green

Paris moved and Sandy seconded to moved into Executive Session at 8:31pm.

Voted unanimously by roll call vote to adjourn to executive session per MGL Chapter 30A §21a, part 6 to consider the purchase, exchange, lease or value of real property. Peter said after the Executive Session the committee would continue in open session solely to approve minutes.

Open session resumed at 9:26 pm.

Approve any minutes

- Mary moved and Marilyn seconded a motion to approve the minutes of November 21, 2013. Voted 6-0-2 (Ellen and Jim Brissette as they were absent for this meeting)
- Paris moved and Ellen seconded a motion to approve the minutes of January 9, 2014 as amended. Voted 7-0-1 (Peter as he was absent for this meeting)

Peter reminded everyone of the Feb. 6 meeting with Stuart Saginor at 7:30 in the Town Room for an update on the CPA law. Our next regular CPAC meeting will be on Feb. 6 at 7:00 in the Police Station Community Room.

Adjournment

Marilyn moved and Jim Oldham seconded a motion to adjourn at 9:32 pm. Voted unanimously.

Documents Distributed

- Agenda, 1 page
- Spreadsheet "Financial Status for CPAC Funds", Jan. 6, 2014, 1 page
- Spreadsheet "Draft CPAC FY2015 Recommendations to Town Meeting", Jan. 21, 2014, 2 pages
- Letter from Maurianne Adams of Amherst Community Land Trust Re: CPAC Follow up Questions, Jan. 21, 2014, 2 pages
- Letter, Site Plan, and Design from Elizabeth Bridgewater of Pioneer Valley Habitat for Humanity Re: Proposed Funding for Hawthorne Farm, Jan. 21, 2014, 10 pages
- Update on North Amherst Bike Connector from Guilford Mooring, 1 page
- Updates on Jones Library Historic Paintings and Archival Restoration from Tevis Kimball, 3 pages
- Letter from Guilford Mooring, DPW Superintendent, Responses to Questions and Photo of Sweetser Park Fountain, Jan. 20, 2014, 3 pages
- News Article: "Sweetser Park fountain will flow July 4" Daily Hampshire Gazette, June 3, 1994, 1 page 11"x17"
- Copy of Mass. General Law Chapter 44B, Section 12 on permanent restrictions, 1 page
- Proposal to purchase the Saul Property, 3 pages
- Letter from Agricultural Commission Re: Fort River Farm Conservation Area, Jan. 22, 2014, 1 page
- Letter from John M. Gerber of Grow Food Amherst, Dec. 5, 2013, 1 page
- Copy of State LAND Grant check for Saul Property, Nov. 26, 2013, 1 page
- Protected Lands Map of Saul Property, Jan. 23, 2014, 1 page 11"x17"
- Potential Layout Map of Saul Property, 1 page 11"x17"
- Priority Habitat Map of Saul Property, 1 page
- Photo of book "Freshwater Mussels and the Connecticut River Watershed" and "Number of Species" Map, 2 pages
- Context and Detail Maps of Echo Village and Rolling Green, 3 pages 11"x17"
- Draft Minutes, November 21, 2013, 5 pages
- Draft Minutes, January 9, 2014, 6 pages

Respectfully submitted by Mary Streeter, acting clerk

Approved February 6, 2014